

# Exhibit 19

*United States of America ex rel. Ven-a-Care of the Florida Keys, Inc. v. Boehringer Ingelheim Corp. et al.*

Civil Action No. 07-10248-PBS

Exhibit to the August 28, 2009 Declaration of James J. Fauci In Opposition To  
Corrected Boehringer Ingelheim Corporation and Boehringer Ingelheim Pharmaceuticals, Inc.  
Local Rule 56.1 Statement of Undisputed Material Facts  
in Support of Their Motion For Summary Judgment

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Granby, CO

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DOCKET No. X07CV-03-0083296 S(CLD) | SUPERIOR COURT

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STATE OF CONNECTICUT | COMPLEX LITIGATION

| DOCKET at TOLLAND

V. |

DEY, INC., ROXANE LABORATORIES, |

INC., WARRICK PHARMACEUTICALS |

CORP., SCHERING-PLOUGH CORP. and |

SCHERING CORPORATION |

DEPOSITION OF EDWARD TUPA

November 10, 2005

PURSUANT TO NOTICE, the deposition of EDWARD  
TUPA was taken on behalf of the Plaintiff at 62927  
U.S. Highway 40, Granby, Colorado, on November 10,  
2005, at 9 a.m., before Lois Spangler-Frank, a  
Registered Merit Reporter and Notary Public within  
the State of Colorado.

Henderson Legal Services  
(202) 220-4158

Edward Tupa

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A P P E A R A N C E S

For the Plaintiff: JEFFREY GOLDENBERG, ESQ.  
Murdock Goldenberg Schneider  
& Groh, LPA  
35 East Seventh Street  
Suite 600  
Cincinnati, OH 45202-2446

For the Defendant: PAUL J. COVAL, ESQ.  
Roxane Laboratories Vorys, Sater, Seymour  
and Pease, LLP  
52 East Gay Street  
P.O. Box 1008  
Columbus, OH 43216-1008

For the Defendant: HELEN E. WITT, ESQ.  
Roxane Laboratories Kirkland & Ellis LLP  
200 East Randolph Drive  
Chicago, IL 60601

Henderson Legal Services  
(202) 220-4158

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1 Q Okay. Well, so you had this meeting with the  
2 president of Roxane, and he indicated to you that he  
3 was looking for a new person to head up the marketing  
4 and sales department; is that correct?

5 A Yes.

6 Q Okay. And so you eventually accepted a  
7 position with them, correct, with Roxane?

8 A Correct.

9 Q And what was the title of your position with  
10 Roxane?

11 A Vice president of sales and marketing.

12 Q And were you based in Columbus, Ohio at that  
13 time?

14 A Yes, I was.

15 Q And who did you report to in the 1994 time  
16 period when you started with Roxane?

17 A I had two people that I reported to, one was  
18 the president, Gerald Wojta, and the other was -- I  
19 don't remember his title -- Shelly Berkle out of  
20 Boehringer Ingelheim Pharmaceutical Company.

21 Q And was Mr. Berkle based in Connecticut?

22 A Yes, he was.

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1 Q And was Mr. Wojta also based in Connecticut?

2 A No. He was in Columbus.

3 Q Did Mr. Wojta remain president of Roxane for  
4 the remainder of your time with Roxane?

5 A No. He retired about two years after I  
6 rejoined.

7 Q And do you recall who took his place as  
8 president of Roxane?

9 A My recollection is that it was taken over by  
10 Mr. Gerstenberg.

11 Q And was Mr. Gerstenberg based in Columbus,  
12 Ohio?

13 A No. He was in Connecticut.

14 Q Did you remain in this position of vice  
15 president of sales and marketing for your remaining  
16 time period with Roxane?

17 A Yes, I did.

18 Q And when did you then leave or retire from --  
19 when did you leave Roxane during this -- following  
20 your second stint?

21 A My position -- I left in October of '98.

22 Q Was -- did you decide to retire at that point,